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| Guardianship of:  Respondent’s SSN:  Proposed Fiduciary:  Address:  City/State/Zip:  Phone: | Probate No. |

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| **Establishment of protective proceeding** | | | | | |
| Initial Appointment:  Intake questionnaire  Conflict check  Fee agreement signed  Retainer (sufficient to pay filing fee, personal service and court visitor fee) received  Source of retainer: | | | | | |
| **Petition for guardianship** | | | | | |
| Respondent:  Address:  City/State/Zip:  Phone:  Current Location:  Address:  City/State/Zip:  Phone: | | | DOB/Age: | | |
| Interest of petitioner: | | | | | |
| Petitioner:  Relationship:  Address:  City/State/Zip:  Phone: | | | DOB/Age: | | |
| Fiduciary:  Relationship:  Address:  City/State/Zip:  Phone: | | | DOB/Age: | | |
| Is proposed fiduciary a certified professional (ORS 125.240(1)(a))?  Yes  No  Does proposed fiduciary have a pecuniary interest in respondent’s estate?  Yes  No  If yes to either of the above, review ORS 125.240 and ORS 125.221(4),  and make necessary disclosures. | | | | | |
| Will fiduciary (professional or not) pay compensation to self  Yes  No  or to a spouse, parent, or child of fiduciary? (If yes, review ORS 125.221(4).) | | | | | |
| Required information/action:  Statement regarding less restrictive alternatives to the appointment of a fiduciary that have been considered, and why the alternatives are inadequate.  Is respondent a person with developmental disabilities receiving developmental disability services under an individualized written service plan (IWSP)? If so, consider appointment of “health care advocate” as an alternative to guardianship pursuant to ORS 125.055 (2)(g).  Statement that indicates whether petitioner is petitioning for plenary authority or specified limited authority for the person nominated as fiduciary.  Statement regarding whether fiduciary has been convicted of a crime, filed for bankruptcy, had a professional or occupational license canceled or revoked, or is the parent or former guardian of respondent and has been the subject of proceedings under ORS Chapter 419B of the Juvenile Code (e.g., child abuse, removal of respondent from the parent’s or former guardian’s home).  Statement that fiduciary is willing to serve.  Name, address, and phone number of any existing fiduciary, trustee, health care representative, or agent under power of attorney.  Name, address, and phone number of respondent’s treating physician, and any person providing care to respondent.  Specific factual information supporting the request for appointment of a fiduciary.  Names, addresses, and phone numbers of persons who have information supporting a finding that respondent is incapacitated.  Intent to change respondent’s abode or to place respondent in mental health treatment facility, nursing home, or other residential facility.  General description of estate of respondent and source and amount of income.  Statement indicating whether nominated fiduciary is a public or private agency or organization providing services to the respondent. | | | | | |
| Will proposed guardian exercise any control over the estate of the respondent? If yes, estimated value of estate (consider whether a bond is required). If not, indicate how estate will be administered if no conservator.  Indicate any intent to limit respondent’s communication, visitation or social interaction with third parties.  Spouse, parents and adult children of respondent (names and addresses).  Members of respondent’s household who are interested in the affairs or welfare of the respondent (names and addresses).  Room and board arrangement, if any, between fiduciary and respondent.  Pecuniary interest, if any, of fiduciary.  For adult respondent, a court visitor must be appointed – determine if your county appoints the court visitor or if you need to locate one (often from a list provided by the probate court). Also ask if court creates the court visitor order or if petitioner must.  If petitioner is not proposed fiduciary, consent to serve.  Check supplementary local rules (Chapter 9). | | | | | |
| Petition for appointment of guardian for minor as an adult, effective on date of majority of minor, can be filed within 90 days before minor reaches majority. ORS 125.055(6). | | | | | |
| Petition filed: | Filing fee paid: | | | Court visitor appointed: | |
| |  |  |  | | --- | --- | --- | | Duplicate submitted for court visitor: | Court visitor fee paid: | Letters of guardianship ordered: |   Create agent or rule in e-mail program to duplicate and forward copies  Done  N/A of e-notices from attorney-of-record to appropriate staff.  Oregon’s electronic case filing system only generates e-notices to the attorney-of-record. Staff email addresses or firm addresses (e.g., docketing@johndoelawfirm.com) are not included. | | | | | |
| **Notice and Order Requirements** | | | | | |
| Form of notice:  Notice to respondent must be in at least fourteen-point type.  Respondent’s objection form must be printed on blue paper in at least fourteen-point type.  Review ORS 125.060 and ORS 125.070.  Change of abode or placement in mental health treatment facility, nursing home, or other residential facility. Review ORS 125.320(3). | | | | | |
| Date of personal service on respondent (if age fourteen or older):  Date of personal service on parent (if respondent is a minor): | | | | | |
| Notice to:  Spouse, parents, and adult children of respondent (if none, persons most closely related).  Any person cohabiting with respondent.  Fiduciary nominated by respondent.  Fiduciary appointed by court.  Any attorney who is representing respondent in any capacity.  Trustee.  Health care representative.  Agent under a power of attorney.  Notice required by court.  Department of Veterans Affairs, if applicable.  Department of Human Services, if respondent is receiving public assistance under  ORS Chapter 411 or 414 (notice to DHS satisfies requirement to notify Oregon Health Authority).  Office of the Long-Term Care Ombudsman, if applicable.  Disability Rights Oregon, if applicable.  Foreign consulate, if respondent is a foreign national.  If respondent is a minor:  Custodian for prior 60 days.  Nominated fiduciary under parent’s will.  For service requirements, review ORS chapter 125. See also Service of Process Checklist for Oregon Courts, available online at [www.osbplf.org](http://www.osbplf.org). | | | | | |
| Last day for objections:  By statute: Not less than fifteen days after date of service, 21 days if subject to U.C.C.J.E.A.)  \*Add 3 days for mailing under the ORCP.  If an objection is made or filed, if the respondent requests, if the court finds that the respondent is in need, or if the court visitor recommends it, new legislation gives respondents the right to appointed counsel when a hearing is held. Pilot programs are operating in Multnomah, Lane, and Columbia Counties. Effective in all counties January 2, 2024. | | Tickled: | | | Objection received?  Yes  No |
| Date proof of personal service to respondent (and parent, if minor) filed: | | | | | |
| Date proof of mailing/personal service to others filed: | | | | | |
| Request for notice of further filings or motions  received and noted (attach list including date filed): | | | | | |
| Date limited judgment appointing temporary guardian filed: | | | | | |
| Letters of temporary guardianship:  Date received from court: Date transmitted to fiduciary:  Expiration date: Tickled date: Extension applied for: | | | | | |
| Order appointing visitor received:  Check issued, date mailed to court visitor (if applicable): | | | | | |
| Court visitor report (within fifteen days of appointment) Date received:  Review ORS 125.150(4)-(5) for sufficiency. Date transmitted to fiduciary: | | | | | |
| Guardian Partners nonprofessional fiduciary class required? Check SLR  Yes  No  If required, fiduciary class registration:  Registration deadline (fifteen days following appointment or 20 days in some counties):  Deadline for completing class (60 days following appointment or 90 days in some counties):  Date completed: | | | | | |
| Report of temporary guardian: (may include in annual report if permanent guardian is appointed)  Date filed: | | | | | |
| Names and addresses of persons requesting notices: (check in court file and with fiduciary)  Date filed: | | | | | |
| Limited judgment appointing permanent guardian: Reminder tickled for:  Date filed:  Received from court: | | | | | |
| Notice of appointment of guardian provided to the protected person (under ORS 125.082) must be delivered **in person** by the guardian in a manner reasonably calculated to be understood by the protected person. The guardian shall offer to also provide the notice to the protected person orally. If the guardian determines that personal delivery of the notice to the protected person is unduly burdensome, the guardian may deliver the notice by first class mail and certified, registered or express mail, return receipt requested. If the notice is delivered to the protected person by mail it must include a statement describing why personal delivery of the notice was unduly burdensome. | | | | | |
| Letters of permanent guardianship: (copy of limited judgment attached)  Date received from court:  Date transmitted to guardian: | | | | | |
| Placement in a care facility or change in abode:  Date of notice of intent: | | | | | |
| Date informational letter sent to guardian explaining duties and responsibilities (an in-person meeting or phone conference is recommended): | | | | | |
| If attorney fees are to be paid from protected person’s funds, per ORS 125.095 and ORS 125.098:  Date motion and declaration filed: Date notice mailed:  Date limited judgment/order signed:  Date signed fee judgment/order sent to conservator/agent/trustee/client:  Date approved attorney fees paid: | | | | | |
| ANNUAL REPORT DUE: Reminder tickled for: | | | | | |
| **Termination of proceedings** | | | | | |
| In the event of a motion for the termination of the protective proceedings, for removal of a fiduciary, for modification of the powers or authority of a fiduciary, for approval of a fiduciary’s actions, or for protective orders in addition to those sought in the petition, notice must be given by the person making the motion to the persons described in ORS 125.060(3). Determine powers and duties of guardian upon death of the protected person at ORS 125.230. | | | | | |
| Date notification received from client or other triggering event:  Reason for termination: | | | | | |
| Date petition for termination signed: Date filed: | | | | | |
| Date general judgment approving termination filed:  Date received from court: Date client notified of termination: | | | | | |
| FILE CLOSED: Final fee/costs paid: | | | | | |

NOTE: If multi-state protective proceeding, refer to ORS125.800-125.852, Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act.

**IMPORTANT NOTICES**

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